

# **Exhibit C3**

**From:** Podolsky, Matthew (USANYS) <Matthew.Podolsky@usdoj.gov>  
**Sent:** Wednesday, March 20, 2024 18:47  
**To:** Haggerty, Timothy; Mulligan, Mary  
**Cc:** BBerke@KRAMERLEVIN.com; Dani R. James; Estes, Jordan; Thomas, Andrew (USANYS); Rothman, Alexandra (USANYS); Rothschild, Samuel (USANYS)  
**Subject:** RE: United States v. Hwang, S1 22 Cr. 240 (AKH)

Tim,

We will certainly read your motion and respond appropriately. Even assuming that this evidence is properly considered under Rule 404(b) at all, we believe we have provided reasonable written notice under the Rule. We have also provided you with extensive early 3500 productions and exhibit and witness lists. Under the circumstances, we believe that you have a fair opportunity to meet the evidence. We are not aware of any authority that requires us to further detail for you how we intend to put in or argue specific pieces of our case.

Many thanks,  
Matt

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**From:** Haggerty, Timothy <thaggerty@fklaw.com>  
**Sent:** Wednesday, March 20, 2024 12:51 PM  
**To:** Podolsky, Matthew (USANYS) <MPodolsky@usa.doj.gov>; Mulligan, Mary <mmulligan@fklaw.com>  
**Cc:** BBerke@KRAMERLEVIN.com; Dani R. James <DJJames@KRAMERLEVIN.com>; Estes, Jordan <JEstes@KRAMERLEVIN.com>; Thomas, Andrew (USANYS) <AThomas@usa.doj.gov>; Rothman, Alexandra (USANYS) <ARothman@usa.doj.gov>; Rothschild, Samuel (USANYS) <SRothschild@usa.doj.gov>  
**Subject:** [EXTERNAL] RE: United States v. Hwang, S1 22 Cr. 240 (AKH)

Matt –

Thank you for your letter, which confirms our disagreement as to the sufficiency of the government's disclosures. We intend to raise this issue with the Court in the motions that we file tomorrow.

Is GX-119 the only document on the government's exhibit list that it intends to offer in support of the allegations set out in paragraph 6 of the 404(b) notice? Given that we raised this issue in December, and so that we can accurately convey the nature and extent of the dispute to the Court, we kindly ask that the government let us know the answer by 11am tomorrow; if there are other documents that the government intends to introduce regarding these allegations, we ask that you please identify them by exhibit number.

Thank you,  
Mary and Tim

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**From:** Podolsky, Matthew (USANYS) <Matthew.Podolsky@usdoj.gov>  
**Sent:** Wednesday, March 20, 2024 12:06 PM  
**To:** Mulligan, Mary <mmulligan@fklaw.com>; Haggerty, Timothy <thaggerty@fklaw.com>  
**Cc:** BBerke@KRAMERLEVIN.com; Dani R. James <DJJames@KRAMERLEVIN.com>; Estes, Jordan <JEstes@KRAMERLEVIN.com>; Thomas, Andrew (USANYS) <Andrew.Thomas2@usdoj.gov>; Rothman, Alexandra (USANYS) <Alexandra.Rothman@usdoj.gov>; Rothschild, Samuel (USANYS) <Samuel.Rothschild@usdoj.gov>  
**Subject:** United States v. Hwang, S1 22 Cr. 240 (AKH)

Mary and Tim,

Please see the attached correspondence concerning your earlier request for information regarding evidence under Rule 404(b).

Many thanks,  
Matt

Matthew Podolsky  
Co-Chief, Securities and Commodities Fraud Task Force  
United States Attorney's Office  
Southern District of New York  
(212) 637-1947